

~~network, user can signals into addresses of other interface connected to said local computer network, and hang-up signals.~~

11. (Original) The network as claimed in claim 10, wherein the digital signals are converted into signals compatible with the network protocol.

12. (Original) The network as claimed in claim 9, wherein at least some of the computers connected to said network are provided with multimedia software to allow direct voice telephone communication.

REMARKS

The Official Action of May 29, 2003, has been carefully considered. It is noted that this is a response to Applicant's communication filed on March 3, 2003, and the present action is a non-final action.

Reconsideration of this Application in light of the newly amended claims and arguments submitted is respectfully solicited. It should be noted that the claims have now been submitted in the new format listing the claims which are currently amended, claims previously amended, and the original claims.

Turning now more specifically to paragraph 2 in which the claims were rejected as being obvious under 35 USC 103 on the basis of a combination of Riemann et al. EP 0829995 in view of prior art admitted by Applicant RU PAT. 2,105,425 hereinafter Skigin. With respect to claims 1, 5 and 9, as well as the other claims, the arguments submitted establish a distinction over the combination of references.

It should be noted that Riemann has a date of filing in the United States of September 16, 1996. It should also be noted that the date of filing of the Russian patent is August 7, 1996. While the date of filing of the Skigin et al. Russian patent is earlier, there is no indication that this patent was published in time for Riemann to become aware of it. Riemann is also examined in order to ascertain whether there was any mention or possible disclosure of information contained in the Russian patent. As best as can be determined, Riemann was unaware of the Russian Patent, as well as the work even though earlier in time. Also, the Russian Patent to Skigin was not available to the public at the time Riemann was filed.

As the Official Action is best understood, it is the Examiner's contention that when one examines Riemann et al., as well as the Russian patent, one can extract the features from Riemann et al. and the Russian patent to arrive at Applicant's claimed invention. Clearly, Applicant does not see it in that same light, and further, there is no suggestion of teaching anywhere in Riemann of the possibility of using a disclosure similar to the Russian patent in combination with Riemann. It is the Examiner looking back who has the benefit of both publications who believes that one having these two patents or publications before them would arrive at Applicant's disclosure. There is no suggestion anywhere of such possibility.

The applicant has analyzed the arguments of the patent examiner with reference to Riemann and would like to draw attention of the patent examiner to the difference between local computer network configurations used in Riemann and in the claimed invention. These differences alone teach away from any possible combination.

Riemann applies ATM technology. Riemann's local area network has a star topology. Riemann discloses local area network (LAN) configuration in the Background of the invention: "... each PC on the network is typically connected via a connecting medium to one or more central hubs or switches which allow communication between network nodes." (See description col. 1 lines 27-30). Riemann directs to this configuration in the Summary of the invention: "The desktop client computers are linked to each other and the server through an ATM switch..." (See col. 3 lines 34, 35) and in the Detailed description of the drawings (see col. 4 lines 45-51; col. 5 lines 2-9 and lines 52-54; col. 10 lines 7-20).

In the claimed invention, the local computer network includes a common bus. The claims as now amended include this feature.

Stated differently, or in other words, this network has a common bus topology and a common bus technology is applied. The following features describing the telephone network according to the general layout diagrams (Figs. 1 and 2) and the specification which sets forth: "a common bus of a local computer network 1 is linked to computer workstation 2 and other devices" (see description page 8 lines 14-16); "User telephone sets 3 are connected to the inputs of telephone interfaces 4 having their outputs connected to a bus of the computer network 1." and "the Bus of the computer network 1 is connected to a computer telephony server 5 ..." (see page 8 lines 20-22). These features are neither suggested nor taught in any reference known to the Applicant or in any combination of references wherein a piece meal selection of various portion may be selected. Even the In Re Winslow Tableau does not apply because there was no selection

of different teachings from the various prior art references brought to Applicant's attention or known to the Applicant.

It is an important advantage that according to the claimed invention the telephone set may be connected to any point of the bus. The telephone sets must not be connected through a switch or host computers. With respect to other possibilities for connection of the telephone sets see also the difference between the claimed invention and Baratz as discussed earlier in the prosecution of this subject matter before the Application was filed as an RCE.

Positive effects of using the claimed invention consist of a more convenient manner for the connection of the telephone sets and a shorter cable length than a star topology requires.

To define the difference of claimed invention the features: "a common bus" and "the bus of" have been included in claims.

Therefore, it would not have been obvious to a person of ordinary skill in the art at the time the invention was made to modify Frantz in having the interface in converting analog-digital signals adapted to the clock frequency of the local network, as per teaching of Skigin, because it makes the communication process simpler and cutting its costs. And, in a similar manner, it would not have been obvious to modify Riemann.

With respect to (US PAT. 5,742,596 hereinafter Baratz) and the Applicant would like to provide the following comments and desires to draw attention of the patent examiner to the following facts as the Applicant understands the disclosure of the citations, and submits the following conclusion.

Telephony server modules and their associated software may be installed in any host computer attached to network 37 (col. 5 lines 3 1-33). The interface module (172) may be hosted by any host computer, including the same host computer for telephony server module (170), or telephony server 44 (col. 9 lines 11-13, see Fig. 1). Similarly, in construction to telephony module 170, analog voice from the extensions is digitized, packetized and placed onto network 37 (see Fig. 1) by the host PC (col. 9 lines 36-38).

Thus according to the teachings of Baratz the telephone sets are connected to the local computer network (37) through the interface module (172) and host computer. The telephone interface (102) is part of the interface module (172). It is impossible without working host computers (40) to phone each other by the telephone sets (42).

The applicant does not find a reference, which points out the connection of the interface module (172) directly to the local computer network (37) connecting computers.

The claimed invention differs from both Baratz, as well as Riemann et al., in capability of a telephony adapter together with a network adapter to connect a telephone set directly to the local computer network connecting computers. It allows calls of the telephone – computer or computer – telephone to be made. The use of the telephone sets is not limited by computers. According to the claimed invention it is possible without computers to phone each other by the telephone sets connected to the local computer network.

The claimed invention decided that the task is to provide telephone communication through a local computer network by different ways. The claimed invention uses only adapters, which are working independently from the host computer.

According to the claimed invention, the telephone set may be connected to any point of the local computer network.

A positive effect and advantage of using the claimed invention consists in more convenience when connecting the telephone sets. It will increase if the local computer network occupies a lot of rooms of different divisions. In this case more probably using a telephone set without a computer and the necessary number of the telephone sets may be much more than the number or quantity of the computers.

With respect to claim 11, the additional feature added was added on the basis according to the sentence of the description “--- the adapter converts digital signals into signals compatible with the network protocol” (page 10, lines 19, 20 of the description). In accordance with the claimed invention, this additional feature is a function of the adapter.

With respect to the dependent claims, the additional features noted by the Examiner do not disturb the allowability of these claims in view of the arguments submitted above.

Regarding the various comments pertaining to the individual claims, the above arguments are submitted as answering all of the Examiner's statements. If there are any points the Examiner desires further information on, he is respectfully asked to call Applicant's attorney to do what is necessary.

Early and favorable reconsideration is respectfully solicited, together with allowance thereof.

Respectfully submitted,

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